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**\*E-FILED - 11/6/08\***

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSE BONILLA,

15 Defendant.

CASE NO. CR-07-00251 RMW

STIPULATION TO CONTINUE  
DATE SET FOR JUDGMENT  
AND SENTENCING AND  
ORDER THEREON

16  
17 ITS IS HEREBY STIPULATED, by and between THOMAS M. O'CONNELL,  
18 ESQ., attorney for the UNITED STATES OF AMERICA, and ROBERT E. CAREY,  
19 JR., counsel for Defendant JOSE BONILLA, that the date set for judgment and  
20 sentence which is currently set for November 3, 2008, be continued to Monday,  
21 January 12, 2009, at 9:00 am.

22 Counsel for Mr. BONILLA will be supplementing the information submitted  
23 to the Probation Office, and there are pending plea negotiations with the  
24 government regarding the withdrawal of Defendant's plea.

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1 In this regard, defense counsel has contacted the probation officer, Ms.  
2 Aylin Raya, and advised her of this request.

3 IT IS SO STIPULATED.

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5 DATED: October 29, 2008 CAREY & CAREY

6  
7 /s/  
8 ROBERT E. CAREY, JR. Attorneys for  
9 Defendant JOSE BONILLA

10 DATED: 10/29, 2008 UNITED STATES OF AMERICA

11  
12 /s/  
13 THOMAS M. O'CONNELL,  
14 Assistant U.S. Attorney

15  
16  
17 ORDER

18 GOOD CAUSE APPEARING THEREFORE, it is hereby ordered, adjudged,  
19 and decreed, that the judgment and sentencing of Mr. BONILLA currently set  
20 for November 3, 2008, be continued to Monday, January 12, 2009, at 9:00 am.

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24 DATED: 11/5, 2008

25  for  
26 HON. RONALD M. WHYTE  
27 U.S. DISTRICT COURT JUDGE  
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